

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

<u>PETER A. SPALLUTO</u>	)	
<u>and ACCESS WITH SUCCESS, INC.,</u>	)	
Plaintiffs	)	CIVIL ACTION NO.: 05-cv-10385EFH
	)	
v.	)	LOCAL RULE 16.1 (D)
	)	CERTIFICATE OF PLAINTIFF
	)	
<u>HDP, INC.,</u>	)	
<u>Defendant</u>	)	
	)	

Pursuant to Local Rule 16.1 (D)(3), the undersigned counsel and parties hereby certify that they have conferred:

1. With a view to establishing a budget for the costs of conducting the full course - and various alternatives courses - of the litigation; and
2. To consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in L.R. 16.4.

Respectfully submitted,

/s/Peter A. Spalluto  
Peter A. Spalluto

/s/Scott M. Frotton  
Scott M. Frotton,  
For Access with Success, Inc.

/s/Nicholas S. Guerrero  
Nicholas S. Guerrero, BBO# 551475  
Shaheen Guerrero & O'Leary, LLC  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing.

/s/Nicholas S. Guerrero  
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Dated: April 14, 2006